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Subject: Pending EPA Action - Enforcement Confidential
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Pending EPA Action- - Offer to Negotiate an Order on Consent - Enforcement Confidential

- This is a notice per the State/ U.S. EPA Enforcement Action Communication Plan of a pending U.S. EPA enforcement action in Indiana based on ongoing negotiations with Windy Ridge Dairy and T & M Limited Partnership in in Jasper County, Indiana.

EPA expects to send an offer to negotiate an Administrative Order on Consent (AOC) and Consent Agreement and Final Order (CA/FO) this week to Windy Ridge Dairy and T & M Limited Partnership to address concerns regarding observed/alleged discharges from land application areas. The AOC outlines compliance measures including the implementation of a Nutrient Management Plan. This investigation has included two 308 notices, three inspections, and extensive review of land application records.

U.S. EPA has assessed penalties for \$25,000 at this time as part of a CA/FO. IDEM will receive a copy of the AOC and CA/FO once its finalized by the parties. If you have any questions, please contact me or Don Schwer at 312-353-8752.

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